



Singapore

Country Reports on Human Rights Practices - [2004](#)

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Singapore is a parliamentary republic in which politics is dominated overwhelmingly by the People's Action Party (PAP), which has been in power since the country gained autonomy from the United Kingdom in 1959. Opposition parties exist, and elections take place at regular, constitutionally mandated intervals; however, the PAP holds 82 of 84 elected parliamentary seats and all ministerial positions. The judiciary is efficient and constitutionally independent; however, there is a general perception that it reflects the views of the ruling party in politically sensitive cases. Moreover, a variety of executive actions are exempt from judicial review. Government leaders used court proceedings, in particular defamation suits, against political opponents and critics.

The police are responsible for routine security within the country and for border protection, including action against illegal immigrants. Military forces are responsible for external defense. The Internal Security Department (ISD) in the Ministry of Home Affairs is authorized by the Internal Security Act (ISA) to counter perceived threats to the nation's security such as espionage, international terrorism, threats to racial and religious harmony, and subversion. The Government maintained effective control over all security activities. There were no reports that security forces committed human rights abuses.

The country has a free market economy, and wealth is distributed broadly. Its population is approximately 4.1 million, with foreign workers accounting for nearly one-fifth of the total. Key economic sectors include financial and business services, manufacturing of semiconductors and telecommunications equipment, petroleum refining and petrochemical production. After more than 30 years of high growth rates, economic performance has been inconsistent since 2000. In 2003, the economy grew an estimated 1.1 percent, but on the back of renewed export demand, it has expanded dramatically in the first half of the year, with gross domestic product increasing 12.5 percent and projected to reach 8.1 percent for the year. Unemployment peaked at 5.5 percent in the third quarter of 2003, as the city-state grappled with structural changes in the economy; during the year, unemployment was 3.4 percent.

The Government generally respected the human rights of its citizens; however, there were significant problems in some areas. The Government has broad powers to limit citizens' rights and to handicap political opposition, which it used in practice. Caning, in addition to imprisonment, was a routine punishment for numerous offenses. The Government continued to rely on preventive detention to deal with espionage, terrorism, organized crime, and narcotics. The authorities sometimes infringed on citizens' privacy rights. The Government continued to restrict significantly freedom of speech and freedom of the press, as well as to limit other civil and political rights. Government pressure to conform resulted in the practice of self censorship among journalists. Government leaders continued to use court proceedings and defamation suits against political opponents and critics. These suits, which have consistently been decided in favor of government plaintiffs, chilled political speech and action and created a perception that the ruling party used the judicial system for political purposes. Restrictions on indoor public events were partially relaxed during the year, and there was a moderate level of ongoing debate in newspapers and on the Internet on various public issues. A "Speakers' Corner" continued to provide a public forum for persons to address a range of issues; however, government restrictions on its use, including prohibitions against the discussion of sensitive ethnic or religious issues, inhibited free speech. The Government significantly restricted freedom of assembly and freedom of association. Jehovah's Witnesses and the Unification Church are banned; however, freedom of religion generally was otherwise respected. Some violence and discrimination against women occurred. Trafficking in persons occurred.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

There were no reports of arbitrary or unlawful deprivation of life committed by the Government or its agents.

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibits such practices, and the Government generally respected these prohibitions. In March, a detainee charged with stealing \$120,000 (S\$200,000) from a Housing Development Board office claimed that, while he was under interrogation in July 2003, police officers used physical means to force him to confess and also threatened to arrest his wife. The judge ruled that the confession was involuntary, refused to allow it into evidence, and subsequently acquitted the man of all charges. As of March, the Police Force had not taken any action against the officers accused of using "physical means" because the detainee had not lodged a complaint prior to the trial.

In previous years, there were a small number of cases involving alleged police mistreatment of detainees. Persons who alleged mistreatment were permitted to bring criminal charges against government officials suspected of involvement. The media reported fully on allegations of police abuse, and the Government took action against abusers. In April, the High Court reinstated a police officer after he had won an appeal of the decision dismissing him in 2000 for allegedly slapping three female detainees.

The Penal Code mandates caning, in addition to imprisonment, as punishment for approximately 30 offenses involving the use of violence or threat of violence against a person, such as rape and robbery, and for nonviolent offenses such as vandalism, drug trafficking, and violation of immigration laws. Caning is discretionary for convictions on other charges involving the use of force, such as kidnapping or voluntarily causing grievous hurt. All women, men over age 50 or under age 16, and anyone determined medically unfit are exempt from punishment by caning. Although statistics for the year were not available, caning was a commonly administered punishment.

Prison conditions, while Spartan, generally were believed to meet international standards. However, a member of an opposition party who served a 5-week prison sentence in 2002 said after his release that he and other sick bay inmates had been chained to their beds at night. The Government responded that the inmates were restrained to minimize the risk of hurting themselves, medical staff, or other inmates.

Male and female prisoners were held separately, and juveniles were held separately from adults. Pretrial detainees were held separately from convicts. Persons detained under the ISA also were held in separate facilities.

The Government did not allow human rights monitors to visit prisons; however, diplomatic representatives were given consular access to citizens of their countries.

d. Arbitrary Arrest or Detention

The law provides that, in most instances, arrests be carried out following the issuance of an authorized warrant; however, some laws, such as the ISA, provide for arrests without warrants. Those arrested under warrants must be charged before a magistrate within 48 hours. The majority of those arrested are charged expeditiously and brought to trial. A functioning system of bail exists, but there are no commercial bail bond services available. Those who face criminal charges are allowed counsel, and the Law Society of Singapore administered a criminal legal aid plan for those who could not afford to hire an attorney. In death penalty cases, the Supreme Court appoints two attorneys for defendants who are unable to afford their own counsel.

The police force was well trained and highly disciplined. Corruption was not a problem, and the police effectively maintained internal law and order.

Some laws--the ISA, the Criminal Law (Temporary Provisions) Act (CLA), the Misuse of Drugs Act (MDA), and the Undesirable Publications Act (UPA)--have provisions for arrest and detention without a warrant or judicial review. The ISA has been employed primarily against suspected security threats. Historically, these threats have been Communist-related; however, in recent years, the ISA has been employed against suspected terrorists. Opposition politicians have called for the abolition of the ISA, but the Government has rejected these calls, claiming that citizens accept the act as an element of the nation's security. The CLA historically has been employed primarily against suspected organized crime and drug trafficking.

The ISA and the CLA permit preventive detention without trial for the protection of public security, safety, or the maintenance of public order. The ISA gives broad discretion to the Minister for Home Affairs at the direction of the President to order detention without filing charges, if the latter determines that a person poses a threat to national security. The initial detention may be for up to 2 years and may be renewed without limitation for additional periods of up to 2 years at a time. Detainees have a right to be informed of the grounds for their detention and are entitled to counsel. However, they have no right to challenge the substantive basis for their detention through the courts. The ISA specifically excludes recourse to the normal judicial system for review of a detention order made under its authority. Instead, detainees may make representations to an advisory board, headed by a Supreme Court justice, which reviews each detainee's case periodically and must make a recommendation to the President within 3 months of the initial detention. The President may concur with the advisory board's recommendation that a detainee be released prior to the expiration of the detention order, but he is not obligated to do so.

At year's end, 36 detainees were being held under the ISA as suspected terrorists. Of these detainees, 34 were suspected of

belonging to the Jemaah Islamiyah, an Al-Qa'ida-affiliated terrorist group, and 2 were suspected of membership in the Philippines-based Moro Islamic Liberation Front. The first arrests of 15 suspected terrorists occurred in 2001; another group of 22 was arrested in August and September 2002, of whom 19 were detained and 3 were released under Restriction Orders (ROs); a person subject to an RO must seek official approval for a change of address or occupation and for overseas travel and participation in any public organization or activity. One new suspect was detained during the year. In January, the Ministry of Home Affairs announced that ISA ROs had been issued for 12 men with suspected terrorist affiliations.

The CLA comes up for renewal every 5 years, and when Parliament renewed it in September, it also passed an amendment that will allow taking DNA samples. Under the CLA, the Minister for Home Affairs may order preventive detention, with the concurrence of the Public Prosecutor, for an initial period of 1 year, and the President may extend detention for additional periods of up to 1 year at a time. The Minister must provide a written statement of the grounds for detention to the Criminal Law Advisory Committee (CLAC) within 28 days of the order. The CLAC then reviews the case at a private hearing. CLAC rules require detainees be notified of the grounds of their detention at least 10 days prior to this hearing, in which a detainee may represent himself or be represented by a lawyer. After the hearing, the Committee makes a written recommendation to the President, who may cancel, confirm, or amend the detention order. However, persons detained under the CLA may have recourse to the courts via an application of a writ of habeas corpus. Persons detained without trial under the CLA are entitled to counsel, but they may challenge only the substantive basis for their detention to the CLAC. The CLA is used almost exclusively in cases involving narcotics or criminal organizations and has not been used for political purposes. According to the most recent official figures, 211 persons were in detention under the provisions of the CLA in 2003, down from 463 in 1998 and 1,263 in 1988. Persons who allege mistreatment while in detention may bring criminal charges against government officials alleged to have committed such acts.

Both the ISA and the CLA contain provisions that allow for modified forms of detention such as curfews, residence limitations, requirements to report regularly to the authorities, limitations on travel, and, in the case of the ISA, restrictions on political activities and association.

The MDA permits detention without trial. Under the MDA, the director of the Central Narcotics Bureau also may commit--without trial--suspected drug abusers to a drug rehabilitation center for a 6-month period, which is extendable by a review committee of the institution for up to a maximum of 3 years. According to the most recent statistics available, from January to September 2003, 225 persons were committed to drug rehabilitation centers. Under the Intoxicating Substances Act, the CNB director may order the treatment for rehabilitation of a person believed to be an inhalant drug abuser for up to 6 months. Other sections of the MDA allow for capital punishment or conviction of persons found guilty of narcotics trafficking offenses (see Section 1.e.).

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary, and the Government generally respected this provision; however, in practice, laws that limit judicial review permit restrictions on constitutional rights. Some judicial officials, especially Supreme Court judges, have ties to the ruling party and its leaders. The President appoints judges to the Supreme Court on the recommendation of the Prime Minister and in consultation with the Chief Justice. The President also appoints subordinate court judges on the recommendation of the Chief Justice. The term of appointment is determined by the Legal Service Commission, of which the Chief Justice is the Chairman. Under the ISA and the CLA, the President and the Minister of Home Affairs have substantial de facto judicial power, which explicitly (in the case of the ISA) or implicitly (in the case of the CLA) excludes normal judicial review. These laws provide the Government with the power to limit, on vaguely defined national security grounds, the scope of certain fundamental liberties that otherwise are provided for in the Constitution.

Government leaders historically have used court proceedings, in particular defamation suits, against political opponents and critics (see Sections 2.a. and 3). Both this practice and consistent awards in favor of government plaintiffs raised questions about the relationship between the Government and the judiciary and led to a perception that the judiciary reflected the views of the ruling party in politically sensitive cases. One of the more prominent of these cases was a defamation suit brought by then Prime Minister Goh Chok Tong and then Senior Minister Lee Kuan Yew against opposition leader Chee Soon Juan for comments Chee made during the 2001 election campaign. Chee, stating that he was unable to retain competent local counsel, requested that the judge allow a foreign attorney to represent him. The request was denied, and Chee, representing himself, lost at a summary judgment proceeding in 2002. In February 2003, Chee again represented himself at his appeal, but the appeal was denied in April 2003. At year's end, the case was pending with the High Court to determine damages.

The judicial system has two levels of courts: The Supreme Court, which includes the High Court and the Court of Appeal; and the subordinate courts. Subordinate court judges and magistrates, as well as public prosecutors, are civil servants whose specific assignments are determined by the Legal Service Commission, which can decide on job transfers to any of several legal service departments. The subordinate courts handle the great majority of civil and criminal cases in the first instance. The High Court may hear any civil or criminal case, although it generally limits itself to civil matters involving substantial claims and criminal matters carrying the death penalty or imprisonment of more than 10 years. The Court of Appeal is the highest and final court of review for matters decided in the subordinate courts or the High Court. In addition, the law provides for Islamic courts whose authority is limited to Islamic family law, which is applicable only to Muslims. Supreme Court Justices may choose to remain in office until the mandatory retirement age of 65, after which they may continue to serve at the Government's discretion for brief, renewable terms at full salary. The Constitution permits the Prime Minister or the Chief Justice to convene a tribunal to remove a justice "on the ground of misbehavior or inability...to properly discharge the functions" of office, but this provision has never been used.

The judicial system provides citizens with an efficient judicial process. In normal cases, the Criminal Procedures Code provides that a charge against a defendant must be read and explained to him as soon as it is framed by the prosecution or the magistrate. Defendants enjoy a presumption of innocence and the right of appeal in most cases. They have the right to be present at their trials and to be represented by an attorney; the Law Society administers a criminal legal aid plan for those who cannot afford to hire an attorney. Since November 2003, the Attorney General's Chambers has conducted a pilot Criminal Case Management System, which accelerates the provision of relevant documents to defense counsel. Defendants also have the right to question opposing witnesses, to provide witnesses and evidence on their own behalf, and to review government-held evidence relevant to their cases. Trials are public and heard by a judge; there are no jury trials. Despite the general presumption of innocence, the MDA stipulates that a person who the prosecution proves has illegal narcotics in his possession, custody, or control shall be assumed to be aware of the substance, and places the burden on the defendant to prove otherwise. The same law also stipulates that, if the amount of the narcotic is above set low limits, it is the defendant's burden to prove he did not have the drug for the purpose of trafficking. Convictions for narcotics trafficking offenses carry lengthy jail sentences or the death penalty, depending on the type and amount of the illegal substance. Persons charged with a capital offense under the MDA have the right to a public trial and to appeal conviction.

The Constitution extends these rights to all citizens; however, persons detained under the ISA or CLA are not entitled to a public trial. In addition, proceedings of the advisory board under the ISA and CLA are not public (see Section 1.d.).

A two-tier military court system has jurisdiction over all military servicemen, civilians in the service of the Armed Forces, and volunteers when they are ordered to report for service. The system handles approximately 450 cases each year. The Military Court of Appeal has the jurisdiction to examine an appeal from a person convicted at a subordinate military court. Trials are public and the defendants have the right to be present. An accused individual also has the right to defense representation.

There were no reports of political prisoners.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The Constitution does not address privacy rights. The Government generally respected the privacy of homes and families; however, it had a pervasive influence over civic and economic life and sometimes used its broad discretionary powers to infringe on these rights. Normally the police must have a warrant issued by a court to conduct a search; however, they may search a person, home, or a property without a warrant if they decide that such a search is necessary to preserve evidence. The Government has wide-ranging discretionary powers under the ISA, CLA, MDA, and UPA to conduct searches without a warrant if it determines that national security, public safety and order, or the public interest is at risk. Defendants may request judicial review of such searches.

Law enforcement agencies, including the Internal Security Department and the Corrupt Practices Investigation Board, have extensive networks for gathering information and conducting surveillance and highly sophisticated capabilities to monitor telephone and other private conversations. No court warrants are required for such operations. The law permits government monitoring of Internet use. It was believed that the authorities routinely monitor telephone conversations and the use of the Internet; however, there were no confirmed reports of such practices during the year. It is widely believed that the authorities routinely conducted surveillance on some opposition politicians and other government critics; however, no such reports were substantiated during the year.

In pursuit of what it considers the public interest, the Government enforced ethnic ratios for publicly subsidized housing, where the majority of citizens live and own their own units. The policy was designed to achieve an ethnic mix more or less in proportion to that in society at large (see Sections 1.d. and 5). When a housing development is at or near the limit for a particular ethnic group, the policy could mean owners find it difficult to sell their apartments or are forced to sell at a lower price to a person of the underrepresented group.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech and freedom of expression but permits official restrictions on these rights, and, in practice, the Government significantly restricted freedom of speech and freedom of the press. The Government's authoritarian style fostered an atmosphere inimical to free speech and a free press. Government intimidation and pressure to conform resulted in the practice of self-censorship among journalists; however, there continued to be some limited progress towards greater openness during the year, including a moderate level of ongoing debate in newspapers and on the Internet on various public issues.

Under the ISA, the Government may restrict or place conditions on publications that incite violence, counsel disobedience to the law, have the potential to arouse tensions in the country's diverse population, or might threaten national interests, national security, or public order. While the ISA has not been invoked in recent years against political opponents of the Government, political opposition and criticism remained restricted by the Government's authority to define these powers broadly. In the past, occasional government references to speech that it considered "out-of-bounds" were understood to be implicit threats to invoke the ISA; however, these limits are not codified, and journalists and others generally believed these limitations have shifted

toward greater tolerance in recent years.

Government leaders urged that news media support the goals of the elected leadership and help maintain social and religious harmony. In addition, strict defamation and press laws and the Government's demonstrated willingness to respond vigorously to what it considered personal attacks on officials sometimes led journalists and editors to moderate or limit what was published.

On August 22, newly inaugurated Prime Minister Lee Hsien Loong announced that beginning September 1, citizens no longer needed police approval to speak at indoor public gatherings unless the topic impinged on race or religion. Foreigners still needed a permit, and police further specified that any such indoor public gatherings had to be held in enclosed spaces that were not within hearing or view of non-participants.

Prior to this relaxation, under the Public Entertainment and Meetings Act (PEMA), a permit was required for virtually any form of public speech or entertainment (see Section 2.b.). In 2002, opposition leader Chee Soon Juan was charged under the PEMA for holding an unauthorized rally outside the Istana, the government compound that houses the offices of the President and Prime Minister; Chee served 5 weeks in prison rather than pay the \$1,715 (S\$3,000) fine.

In 2000, the Speakers' Corner opened in a financial district park; however, government restrictions limited the ability to speak freely. Prospective speakers must be citizens, must show their identification cards, and are required to register in advance with the police. However, they do not need to obtain a public entertainment license. Speakers Corner rules were relaxed during the year to allow exhibitions and performances; however, sound amplification is still banned. A list of registered speakers was posted on a notice board outside the police station. While it was not necessary to declare speech topics in advance, government regulations governing the Speakers' Corner state that "the speech should not be religious in nature and should not have the potential to cause feelings of enmity, ill will, or hostility between different racial or religious groups." In 2002, opposition figure Chee Soon Juan was fined \$1,715 (S\$3,000) for a speech criticizing the government ban on schoolgirls wearing the "tudung," a headscarf that some Muslims consider a religious requirement (see Section 2.c.); under the Constitution, anyone fined more than \$1,140 (S\$2,000) cannot run for Parliament for 5 years.

The Government strongly influenced both the print and electronic media. Two companies, Singapore Press Holdings Ltd. (SPH) and MediaCorp, own all general circulation newspapers in the four official languages--English, Chinese, Malay, and Tamil. MediaCorp is wholly owned by the government investment company. SPH is a private holding company with close ties to the Government; the Government must approve (and can remove) the holders of SPH management shares, who have the power to appoint or dismiss all directors or staff. As a result, while newspapers printed a large and diverse selection of articles from domestic and foreign sources, their editorials, coverage of domestic events, and reporting of sensitive foreign relations issues closely reflected government policies and the opinions of government leaders. However, columnists' opinions and letters to the editor expressed a moderate range of opinions on public issues. In October, an annual survey of journalists conducted by the international nongovernmental organization (NGO) Reporters Without Borders ranked the country as 147th out of 167 countries in terms of press freedom; the organization's report on the country noted strong government and ruling party influence over the media as well as continued censorship and self censorship.

Government-linked companies and organizations operated all broadcast television channels and almost all radio stations. Only one radio station, the British Broadcasting Corporation World Service, was completely independent of the Government. Some Malaysian and Indonesian television and radio programming can be received, but satellite dishes are banned, with few exceptions. However, cable subscribers have access to three foreign television news channels and many entertainment channels, including some with news programs.

A substantial number of foreign media operations were located within the country. The law requires foreign publications that report on politics and current events in Southeast Asia to register, post a \$114,286 (S\$200,000) bond, and name a person in the country to accept legal service. The Government has granted exemptions to 14 of the 17 publications to which these requirements could apply. Nonetheless, these requirements strengthen the Government's control over foreign media. Under the Newspaper and Printing Presses Act, the Government may limit the circulation of foreign publications that it determines interfered with domestic politics. The importation of some publications is barred, although a wide range of international magazines and newspapers can be purchased uncensored. Newspapers printed in Malaysia may not be imported. The circulation of the Asian Wall Street Journal and the Far Eastern Economic Review, both foreign publications, was limited (or "gazetted"). The Government has raised the allowed circulation of publications to correspond more or less to actual demand. The Government also may ban the circulation of domestic and foreign publications under provisions of the ISA and the UPA. In 2001, Parliament passed an amendment to the Broadcasting Act that empowers the Minister for Information, Communication, and the Arts to "gazette" or place formal restrictions on any foreign broadcaster deemed to be engaging in domestic politics. Once gazetted, a broadcaster can be required to obtain express permission from the Minister to continue broadcasting in the country. The broadcaster also may have restrictions imposed on the number of households receiving its programming and can be fined up to \$57,000 (S\$100,000) for failing to comply with this provision.

The country's defamation laws make it relatively easy for some plaintiffs to win substantial judgments for damages and legal costs. Conviction on criminal defamation charges can result in a prison sentence of up to 2 years, a fine, or both. Threats of defamation actions often persuaded newspapers and others to apologize and pay damages for perceived slights, a situation which prompted general caution in expressing criticism. Critics charged that government leaders used defamation lawsuits or threats of such actions to discourage public criticism and intimidate opposition politicians and the press. The unbroken success of government leaders' suits in the last decade has fostered public caution about political speech, has prompted a culture of self-

ensorship within the news media, and has inhibited opposition politics. During the last decade, ruling party leaders sued opposition politicians J.B. Jeyaretnam, Chee Soon Juan, and Tang Liang Hong for defamation several times. The Government argued that these individuals repeatedly had defamed ruling party leaders, who then acted to clear their names. In 2001, then Senior Minister Lee Kuan Yew and Prime Minister Goh Chok Tong sued opposition leader Chee Soon Juan for defamation (see Section 1.e.).

In September, the Economist magazine announced that it had agreed to pay damages to Prime Minister Lee Hsien Loong and Minister Mentor Lee Kuan Yew in connection with an article published in its August 14 issue. The article was taken to imply that nepotism had played a part in the appointment of Ho Ching, the Prime Minister's wife, to head Temasek Holdings, the country's key state investment entity. Newspaper accounts reported that the amount paid was \$229,000 (S\$380,000) plus legal costs.

In 2002, the Bloomberg news service publicly apologized and agreed to pay \$340,000 (S\$595,000) in damages to then Prime Minister Goh and Senior Minister Lee Kuan Yew for an Internet-distributed Bloomberg column that accused them of nepotism in regard to the Ho Ching appointment at Temasek.

The Singapore Broadcasting Authority (SBA) censored broadcast media and Internet sites. The Ministry of Information, Communication, and the Arts (MICA) censored all other media, including movies, video materials, computer games, and music. Banned publications consisted primarily of sexually oriented materials but also included some religious and political publications. Both SBA and MICA developed censorship standards with the help of a citizen advisory panel. The ISA, the UPA, and the Films Act allow the banning, seizure, censorship, or restriction of written, visual, or musical materials by these agencies if they determine that such materials threaten the stability of the State, are pro-Communist, contravene moral norms, are pornographic, show excessive or gratuitous sex and violence, glamorize or promote drug use, or incite racial, religious, or linguistic animosities. The Films Act bans political advertising using films or videos, as well as films directed towards any political purpose. Other restrictions tightly control the types of campaign materials that can be distributed by or about candidates and parties during an election.

The Media Development Authority (MDA) has the power to sanction broadcasters for airing what it believes to be inappropriate content, and it has exercised this power in the past. All content airing between 6:00 a.m. and 10:00 p.m. must be suitable for viewers of all ages. Polls indicated strong public support for continued censorship of sex and violence in films; in July, a (Government) Censorship Review Committee report cited polling data that 70 percent of the public was satisfied with existing censorship practices and recommended few changes. A list of banned films was available on the MDA website. Certain films that have been barred from general release may be allowed limited showings, either censored or uncensored, with a special rating. In practice, censorship standards have been significantly relaxed in recent years for live theater performances. Plays with overtly sexual or anti-ruling party themes have been permitted.

The SBA regulates access to material on the Internet, using a framework of website licenses. Internet service providers (ISPs) are not required to submit content for approval before posting but are required to ensure that content complies with the SBA's Internet Code of Conduct. It also regulates Internet material by licensing the ISPs through which local users are required to route their Internet connections. Such services act as a filter for content that the Government considers objectionable and could block access to certain sites. While the Government did not consider regulation of the Internet to be censorship, the SBA directed service providers to block access to websites that, in the Government's view, undermined public security, national defense, racial and religious harmony, and public morals. The SBA has ordered ISPs to block 100 specific websites that the Government considered pornographic; officials stated that this step was largely symbolic since means existed to circumvent the blocking. The SBA indicated it does not intend to monitor the Internet or e-mail use but to block access to material that contains pornography or excessive violence or incites racial or religious hatred. Those responsible for sites that violate the Code of Practice can face charges, including fines. The Government has not taken official action against any ISPs for violating the code.

Political and religious websites must register with the MDA.

All public institutions of higher education and political research institutions are linked closely to the Government. Although faculty members are not technically government employees, in practice they were subject to potential government influence. Academics spoke and published widely and engaged in debate on social and political issues. However, they were aware that any public comments outside the classroom or in academic publications that ventured into prohibited areas--criticism of political leaders or sensitive social and economic policies, or comments that could disturb ethnic or religious harmony or that appeared to advocate partisan political views--could subject them to sanctions. Publications by local academics and members of research institutions rarely deviated substantially from government views.

b. Freedom of Peaceful Assembly and Association

The Constitution provides citizens the right to peaceful assembly but permits Parliament to impose restrictions "it considers necessary or expedient" in the interest of security, public order, or morality; in practice, the Government restricted this right. Public assemblies of five or more persons, including political meetings and rallies, require police permission; however, during the year the Government relaxed rules (see Section 2.a.) so that citizens no longer need permits for some indoor speaking events. Spontaneous public gatherings or demonstrations were virtually unknown. The Government closely monitored political gatherings regardless of the number of persons present. Persons who wished to speak at a public function, excluding functions provided by or under the auspices of the Government, needed to obtain a public entertainment license from the police; however, since 2001, regulations have exempted some cultural events (such as Chinese operas or lion dances), requiring 7-day advance

notice to the police in lieu of a permit. In the past, opposition politicians routinely experienced delays before being notified of decisions on their applications for speaking permits, although the Government claimed that the delays came only when applications were submitted late. According to the police, the normal processing time for an application was 7 working days from the date of receipt.

In December, the police denied a public entertainment license for an indoor party marketed to the homosexual community, citing concerns that the event was "likely to be organized as a gay party, which is contrary to the public interest." The Government had allowed the event in prior years and, in August, had licensed a third annual 3 day festival advertised to homosexuals throughout Asia, an event that attracted approximately 8,000 participants. In December 2003, the police denied a public entertainment license for a forum on Burma organized by the Alliance for Reform and Democracy in Asia and the Taiwan Foundation for Democracy, asserting that "the proposed event is likely to be contrary to the public interest." The police did grant a license for a December 2003 event organized by an NGO to present the Human Rights Defender award to J.B. Jeyaretnam, former Member of Parliament (M.P.) and former Secretary General of the Workers' Party.

Most associations, societies, clubs, religious groups, and other organizations with more than 10 members are required to register with the Government under the Societies Act. The Government denied registration to groups that it believed were likely to have been formed for unlawful purposes or for purposes prejudicial to public peace, welfare, or public order. From 1999 to 2003, authorities denied registration to 10 of 1,236 groups seeking registration. The Government has absolute discretion in applying criteria to register or dissolve societies. The Government prohibits organized political activities except by groups registered as political parties or political organizations. This prohibition limits opposition activities and contributes to restricting the scope of unofficial political expression and action (see Section 3). The prohibition affected the PAP less because of its long domination of the Government and its overwhelming parliamentary majority; the PAP traditionally has been able to use nonpolitical organizations such as residential committees and neighborhood groups for political purposes far more extensively than opposition political parties. Political parties and organizations are subject to strict financial regulations, including a ban on receiving foreign donations. Due to laws regulating the formation of publicly active organizations, there were few NGOs, apart from nonpolitical organizations such as religious groups, ethnically affiliated organizations, and providers of welfare services.

c. Freedom of Religion

The Constitution provides for freedom of religion, and the Government generally respected this right in practice; however, the Government banned some religious groups. The Constitution provides that every citizen or person in the country has the right to profess, practice, or propagate his religious belief so long as such activities do not breach any other laws relating to public order, public health, or morality.

All religious groups were subject to government scrutiny and must be registered under the Societies Act. The Maintenance of Religious Harmony Act (MRHA) gives the Government the power to restrain leaders and members of religious groups and institutions from carrying out political activities, "exciting disaffection against" the Government, creating "ill will" between religious groups, or carrying out subversive activities. The act was prompted by activities that the Government perceived as threats to religious harmony, including aggressive and "insensitive" proselytizing and the "mixing of religion and politics." Violation of a restraining order issued under the MRHA is a criminal offense. The act also prohibits judicial review of its enforcement or of any possible denial of rights arising from its implementation.

The Government played an active but limited role in religious affairs. It did not tolerate speech or actions, including those of a religious nature, which adversely affected racial and religious harmony and sometimes issued restraining orders barring participation in such activities. The Presidential Council for Religious Harmony reviews such orders and makes recommendations to the President on whether to confirm, cancel, or alter a restraining order. The Presidential Council for Minority Rights examines all pending legislation to ensure it is not disadvantageous to a particular group, reports to the Government on matters that affect any racial or religious community, and investigates complaints. The Government also supported citizen access to traditional religious organizations by assisting religious institutions to find space in public housing estates where most citizens lived. The Government maintained a semi official relationship with the Muslim community through the Islamic Religious Council (MUIS), which was established under the Administration of Muslim Law Act. The MUIS advises the Government on the Muslim community's concerns, maintains regulatory authority over Muslim religious matters, and oversees a mosque-building fund financed by voluntary payroll deductions.

Under the Societies Act, the Government banned meetings of Jehovah's Witnesses and the Unification Church. The Government deregistered and banned Jehovah's Witnesses in 1972 on the grounds that its approximately 200 members refused to perform obligatory military service, salute the flag, or swear oaths of allegiance to the State. The Government regarded such refusals as prejudicial to public welfare and order. While the Government did not outlaw the profession or propagation of the beliefs of Jehovah's Witnesses and does not arrest members merely for being believers, the result of deregistration was to make meetings of Jehovah's Witnesses illegal. The community numbered approximately 2,000 in the country, and Jehovah's Witnesses continued to refuse to perform national military service. The Government also banned all written materials published by the Jehovah's Witnesses' publishing affiliates, the International Bible Students Association and the Watch Tower Bible and Tract Society. A person in possession of banned literature can be fined up to \$1,140 (S\$2,000), and for holding a meeting, the fine can be as high as \$2,285 (S\$4,000). During the year, the authorities briefly detained 11 persons for attempting to bring Jehovah's Witnesses publications into the country.

During the year, the Ministry of Education indefinitely suspended four children for failing to sing the national anthem and

participate in the flag ceremony, down from eight suspensions in 2003. There have been 34 such cases since 2000. All 34 students made alternate schooling arrangements; none have returned to public school. The students can return if they are prepared to sing the anthem, salute the flag, and say the pledge of allegiance.

Missionaries, with the exception of members of Jehovah's Witnesses and representatives of the Unification Church, were permitted to work, publish, and distribute religious texts. However, while the Government did not prohibit evangelical activities in practice, it discouraged activities that could upset inter-communal relations, such as unsolicited public proselytizing.

For a more detailed discussion, see the [2004 International Religious Freedom Report](#).

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides citizens the right to move freely throughout the country; however, while the Government generally respected this right in practice, it limited this right in a few respects. For example, citizens' choice of where to live sometimes was limited by the Government's policy of assuring ethnic balance in publicly subsidized housing, in which the great majority of citizens lived (see Sections 1.f. and 5). The Government required all citizens and permanent residents over the age of 15 to register and to carry identification cards. The Government may refuse to issue a passport and did so in the case of former ISA detainees. Under the ISA, a person's movement may be restricted (see Section 1.d.). According to official press releases, at year's end, there were 17 suspected terrorists subject to such restrictions.

The Constitution prohibits forced exile, and the country did not employ forced exile.

The right of voluntary repatriation was extended to holders of national passports. The Government actively encouraged citizens living overseas to return home or at least to maintain active ties with the country. A provision of law allows for the loss of citizenship by citizens who resided outside the country for more than 10 consecutive years, but it was not known to have been used.

Men are required to serve 24 months of national service upon turning 18 years of age. They also are required to undergo reserve training up to the age of 40 (for enlisted men) or 50 (for officers). Male citizens with national service reserve obligations are required to advise the Ministry of Defense if they plan to travel abroad. Boys age 11 to 16½ years are issued passports that are valid for 2 years and are no longer required to obtain exit permits. From the age of 16½ until the age of enlistment, male citizens are granted 1-year passports and are required to apply for exit permits for travel that exceeds 3 months.

The law stipulates that former members of the Communist Party of Malaya (CPM) residing outside the country must apply to the Government to be allowed to return. They must renounce communism, sever all organizational ties with the CPM, and pledge not to engage in activities prejudicial to the country's internal security. In addition, the law requires them to submit to an interview by the Internal Security Department and to accept any restrictive conditions imposed on them.

The law does not provide for the granting of refugee status or asylum to persons in accordance with the 1951 U.N. Convention Relating to the Status of Refugees or its 1967 Protocol. In practice, the Government provides protection against refoulement, the return of persons to a country where they feared persecution, but does not grant refugee or asylum status. A small number of ethnic Chinese from Indonesia have entered the country as visitors for temporary stays during episodes of racial or religious strife.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The Constitution provides citizens with the right to change their government peacefully. Opposition parties are free to contest elections, and the voting and vote-counting systems are fair and free from tampering; however, the PAP, which has held power continuously and overwhelmingly for more than 4 decades, has used the Government's extensive powers to place formidable obstacles in the path of political opponents. In the 2001 elections, the opposition contested 29 of 84 seats and won only 2 seats. There were no allegations of irregularities in the casting or counting of votes, but the opposition continued to criticize what it described as PAP abuse of its incumbency advantages to handicap opposition parties. The PAP maintained its political dominance in part by developing voter support through effective administration and its record in bringing economic prosperity to the country, and in part by manipulating the electoral framework, intimidating organized political opposition, and circumscribing the bounds of legitimate political discourse and action. The belief that the Government might directly or indirectly harm the employment prospects of opposition supporters inhibited opposition political activity; however, there were no confirmed cases of such retaliation. As a result of these and other factors, opposition parties were unable to seriously challenge the ruling party. The PAP claimed that the lack of an effective opposition was due to disorganization, weak leadership, and a lack of persuasive alternative policies.

The country has a parliamentary system in which the majority party in Parliament has the authority to constitute the Government, which is headed by a Prime Minister. The parliamentary term is for no more than 5 years after the first sitting of Parliament following a general election. Parliament may be dissolved early by presidential proclamation, which normally follows a request by the Prime Minister. Elections must be held within 3 months of Parliament's dissolution. Following the 2001 elections, the PAP held 82 of 84 elected seats; the opposition Singapore People's Party and the Workers' Party each held 1 seat. A constitutional amendment requires at least three opposition members in Parliament even if fewer than three are elected. Following the

elections, the Government allotted a non constituency seat to Singapore Democratic Alliance candidate Steve Chia, the opposition candidate who had obtained the highest share of the vote without winning a seat. In addition to regular M.P.s and non-constituency M.P.s, the Constitution allows a parliamentary committee to select and the President appoint Nominated M.P.s to serve 2½-year terms without facing election. Non-constituency M.P.s and Nominated M.P.s can participate in parliamentary debate and can vote on some, but not all, types of legislation. In November, a new nine-member slate of Nominated M.P.s replaced the Nominated M.P.s who took office in 2002.

The PAP has an extensive grassroots system and a carefully selected, highly disciplined membership. The establishment of government-organized and predominantly publicly funded Community Development Councils (CDCs) has further strengthened the PAP's position. The Councils promote community development and cohesion and provide welfare and other assistance services. The PAP dominates the CDCs even in opposition-held constituencies and has used the threat of withdrawing publicly funded benefits. During the last two election campaigns, the Prime Minister and other senior government officials warned voters that precincts that elected opposition candidates would have the lowest priority in government plans to upgrade public housing facilities. This statement heightened concerns among some observers about voters' genuine freedom to change their government.

The PAP completely controlled key positions in and out of government, influenced the press and courts, and limited opposition political activities. Often these means were fully consistent with the law and the normal prerogatives of the Government, but the overall effect (and many argued the ultimate purpose) was to disadvantage and weaken political opposition. For example, the Government dramatically altered the boundaries of election districts only 17 days before the 2001 general election, abolishing some constituencies and adjusting the borders of many other constituencies. Since 1988, it has changed all but nine single-seat constituencies into Group Representational Constituencies (GRCs) of three to six parliamentary seats, in which the party with a plurality wins all of the seats. According to the Constitution, such changes are permitted to ensure ethnic minority representation in Parliament; each GRC candidate list must contain at least one Malay, Indian, or other ethnic minority candidate. However, these changes made it more difficult for opposition parties, all of which had very limited memberships, to fill multimember candidate lists.

Although political parties legally were free to organize, they operated under the same limitations that applied to all organizations, and the authorities imposed strict regulations on their constitutions, fundraising, and accountability (see Section 2.b.). There were 24 registered political parties in the country; however, only 6 of these were active. Political parties and organizations were subject to strict financial regulations, including a ban on receiving foreign donations. Government regulations hindered attempts by opposition parties to rent office space in government housing or to establish community foundations. In addition, government influence extended in varying degrees to academic, community service, and other NGOs.

The Films Act bans political films and recorded televised programs, putting opposition parties at a disadvantage. The ban, which ostensibly exists to prevent the sensationalist or emotional effect that video or film productions could have on political issues, applies to the PAP as well as to the opposition parties. Nonetheless, it had the effect of denying opposition parties, which already received far less coverage than did the PAP in the government-influenced press and media, a potential outlet for their political messages. The law regulates the use of the Internet by political parties and others for political purposes during election campaigns (see Section 2.a.).

The threat of civil libel or slander suits, which government leaders have often used against political opponents and critics and consistently won, had a stifling effect on the full expression of political opinion and disadvantaged the political opposition (see Section 2.a.). Large judgments in libel suits can lead to bankruptcy, and, under the law, bankrupt persons are ineligible to sit in Parliament. The Penal Code also provides for criminal defamation offenses.

In the past, the Government also used parliamentary censure or the threat of censure to humiliate or intimidate opposition leaders. Government entities also used libel or slander suits, and dismissal from positions in government-related entities, to intimidate prominent opposition politicians.

The duties of the President are largely ceremonial. Nonetheless, the President has significant budget oversight powers, as well as some powers over civil service appointments and internal security affairs. The President is popularly elected for a 6-year term from among candidates who are approved by a constitutionally prescribed committee to meet specified requirements. Candidates cannot be nominated for the position if they are members of political parties. No election was held for President in 1999, after the committee decided that the government-backed candidate met the constitutional requirements, but that the other two nominees did not. The Government placed significant obstacles in the way of opposition political figures' presidential candidacies. For example, opposition members were much less likely to satisfy the requirement that candidates have experience in managing the financial affairs of a large institution, since many of the country's large institutions are government-run or linked to the Government. Opposition political figures asserted that such strict compliance requirements weakened their parties.

There are no laws that specifically provide for public access to government information; however, significant amounts of information are available on government websites.

Voting is compulsory, and women and minorities voted at approximately the overall 95 percent rate in contested constituencies. There is no legal bar to the participation of women in political life; women held only 10 of the 84 elected parliamentary seats, an increase from 6 female M.P.s in the previous Parliament. After the August Cabinet reshuffle, there were two female ministers of state, although none of cabinet rank. Three of the 14 Supreme Court justices were women.

There are no restrictions in law or practice against minorities voting or participating in politics; they actively participated in the political process and were well represented throughout the Government, except in some sensitive military positions. Malays make up approximately 15 percent of the general population and hold approximately the same percentage of regularly elected seats in Parliament. Indians make up approximately 7 percent of the general population and hold approximately 10 percent of the regularly elected seats in Parliament. Minority representation in Parliament is, in part, the result of a legal requirement that candidate slates in every multi-seat constituency have at least one minority representative. There was one ethnic Malay minister and three ethnic Indian ministers. Three of the 14 members of the Supreme Court were ethnic Indian; there were no Malays on the Court.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Efforts by independent organizations to investigate and evaluate government human rights policies faced the same obstacles as those faced by opposition political parties. NGOs were subject to registration under the Societies Act (see Section 2.b.). Some domestic NGOs criticized restrictions on human rights or suggested changes that would relax or remove restrictions.

There is a Presidential Council on Minority Rights that monitors pending legislation for anything possibly disadvantageous to minorities (see Section 5).

In recent years, the Government permitted international human rights organizations to observe human rights related court cases. In February 2003, two representatives from the Lawyer's Committee on Human Rights attended opposition figure Chee Soon Juan's appeal of a summary judgment in the defamation suits filed against him by then Prime Minister Goh Chok Tong and then Senior Minister Lee Kuan Yew (see Section 1.e.).

Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

The Constitution states that all persons are equal before the law and entitled to the equal protection of the law, and the Government generally respected these provisions in practice. The Constitution contains no explicit provision granting equal rights for women and minorities. Mindful of the country's history of inter-communal tension, the Government took measures to ensure racial, ethnic, religious, and cultural nondiscrimination. Social, economic, and cultural benefits and facilities were available to all citizens regardless of race, religion, or sex. Men do not have the right to seek alimony from their wives in cases of divorce or separation. Women are not required to perform national service; virtually all males must fulfill 24 months of fulltime national service at the age of 18, with continuing reserve requirements thereafter. In August, the Prime Minister announced that medical benefits for male and female civil servants would be equalized; previously, dependants of male civil servants had greater access to subsidized health care.

Women

The Penal Code and the Women's Charter criminalize domestic violence and sexual or physical harassment; however, violence or abuse against women occurred. A victim of domestic violence can obtain court orders barring the spouse from the home until the court is satisfied that the spouse has ceased aggressive behavior. The number of court orders for protection against violent family members has increased in recent years, in part because the definition of violence includes intimidation, continual harassment, or restraint against one's will. The Penal Code prescribes mandatory caning and a minimum imprisonment of 2 years for conviction on any charge of "outraging modesty" that caused the victim fear of death or injury. The press gave fairly prominent coverage to instances of abuse or violence against women. There were several organizations that provided assistance to abused women. The Association of Women for Action and Research ran a hotline that offered counseling and legal advice. The Family Protection and Welfare Service, an office of the Ministry of Community Development, Youth, and Sports, documented physical and psychological abuse, and provided counseling and other support services to abused women. The Star shelter accepted children, women, and men, and can accommodate up to 30 persons. The Government enforced the law against rape, which provides for imprisonment of up to 20 years and caning for offenders. Under the law, rape can only be committed by a man, and spousal rape is not a crime; however, husbands who force their wives to have intercourse can be prosecuted for other offenses, such as assault.

The country's laws neither ban nor authorize prostitution; however, public solicitation, living on the earnings of a prostitute, and maintaining a brothel are illegal. The authorities periodically carried out crackdowns on solicitation for prostitution and arrested and deported foreign prostitutes, particularly when their activities took place outside informally designated red light areas. In practice, police unofficially tolerated and monitored a limited number of brothels; prostitutes in such establishments were required to undergo periodic health checks and carry a health card.

Women accounted for 55 percent of civil service employees. They enjoyed the same legal rights as men in most areas, including civil liberties, employment, commercial activity, and education. The Women's Charter gives women, among other rights, the right to own property, conduct trade, and receive divorce settlements. Muslim women enjoyed most of the rights and protections of the Women's Charter. For the most part, Muslim marriage law falls under the administration of the Muslim Law Act, which empowers the Shari'a (Islamic law) court to oversee such matters. The laws allow Muslim men to practice polygyny, although requests to take additional spouses may be refused by the Registry of Muslim Marriages, which solicits the views of an existing wife or wives and reviews the financial capability of the husband. There were 340 applications for polygynous marriage from 1999 to 2003, 109 were approved, about 0.5 percent of all Muslim marriages during that period. Both men and women have the

right to initiate divorce proceedings; however, in practice, women faced significant difficulties that often prevented them from pursuing proceedings, especially the lack of financial resources to obtain legal counsel.

Women constituted 42 percent of the labor force and were well represented in many professions, but they held few leadership positions in the private sector. They were still overrepresented in low wage jobs such as clerks and secretaries; however, there were some women who held senior corporate leadership positions. Salaries for women ranged between 62 and 100 percent of men's salaries depending on the occupational grouping. The wage gap has narrowed in recent years; in some specific occupations, women earn more than their male counterparts. Observers noted that the wage differential was smaller in professional jobs and that wage disparities could be attributed in part to differences in average educational levels and work experience. In 2002, the Government eliminated a quota on the number of female medical students who can be admitted to the National University.

There were no specific laws prohibiting stalking or sexual harassment, and sexual harassment was not considered a significant issue. However, the Miscellaneous Offences Act and laws prohibiting insults to modesty were used successfully to prosecute such offenses.

In April, Parliament amended the Constitution to eliminate the inequality whereby female citizens could not automatically transmit citizenship to their children born abroad, but male citizens could.

Children

The Government demonstrated its strong commitment to children's rights and welfare through its well-funded systems of public education and medical care. Access to public education and medical care was equal for all children. In 2003, a law made compulsory 6 years of public (or government-recognized private) education for all children. Although school attendance previously was not compulsory, virtually 100 percent of children were enrolled through grade 6, and the dropout rate for secondary school was low. The Children and Young Persons Act established protective services for orphaned, abused, disabled, or "troubled" children, and created a juvenile court system. The Ministry of Community Development, Youth, and Sports worked closely with the National Council for Social Services to oversee children's welfare cases. Voluntary organizations operated most of the homes for children, while the Government funded up to 50 percent of all child costs, which included normal living expenses and overhead, as well as expenses for special schooling, health care, or supervisory needs. In some cases, the Government covered 100 percent of such costs.

Child prostitution occurred. Between January and November, approximately 1 percent of the 4,600 persons arrested for prostitution were found to be under age 18. In 2003, the Ministry of Home Affairs found 21 children under the age of 18 who it suspected were involved in prostitution; the figure for 2002 was 66. Sexual intercourse with girls under the age of 16 is illegal, but there is no legal prohibition on commercial sex with "consenting" partners aged 16 and 17. The authorities have the power to detain persons under the age of 21 who are believed to be engaged in prostitution, as well as to prosecute those who organize or profit from prostitution, who bring women or girls to the country for prostitution, or who coerce or deceive women or girls into prostitution.

The Ministry for Community Development, Youth, and Sports sponsored activities promoting children's causes, including family stability. This agency and several NGOs focused on keeping fathers involved in their children's lives and on preventing child abuse.

Trafficking in Persons

The law prohibits trafficking in persons; however, trafficking in persons occurred.

The three major laws that govern trafficking and prostitution are the Women's Charter, the Children and Young Person's Act, and the Penal Code. Trafficking in women and children, whether or not it is related to prostitution, is punishable by up to 5-years imprisonment, a \$5,700 (S\$10,000) fine, and caning. Traffickers could be prosecuted under the Penal Code's "wrongful constraint" provision, which carries maximum punishments of 10 years imprisonment and a fine. Convicted traffickers could be found guilty of violating more than one law. There was no specific campaign to combat or prevent the use of fraud or coercion to recruit foreign women as prostitutes, although some persons were prosecuted and punished for crimes involving such acts.

Authorities prosecuted some cases of trafficking. In May 2003, authorities charged five individuals with forcing a 12-year-old Malaysian girl into prostitution after promising her employment as a maid. Two of those charged pleaded guilty and were sentenced to 12 years in prison; one of these two was also sentenced to be caned six strokes. The trial of the other three lasted 10 days. One was convicted of rape and sentenced to 12 years in prison and 12 strokes of the cane. The other two were convicted of conspiring to recruit men to rape the girl. One was sentenced to 12 years and six strokes of the cane; the other received a 13-year sentence, 12 strokes of the cane, and a \$5,700 (S\$10,000) fine.

Almost all sex workers were foreign; most originated in Thailand, the Philippines, Malaysia, China, Indonesia, Vietnam, India, or Sri Lanka. Observers believed that almost all foreign prostitutes were aware when they entered the country that they were going to be employed as prostitutes. While prostitution is not legally an offense, public solicitation is illegal. Police periodically carried out crackdowns on prostitutes, particularly those operating outside informally designated red light areas (see Section 5,

Women). Foreign prostitutes detained in these raids usually were deported quickly. Foreign prostitutes and maids were deported immediately if they tested positive for pregnancy or HIV/AIDS or other sexually transmitted diseases.

In practice, successful investigation and prosecution of trafficking in persons required that victims remain in or return to the country to testify. Victims were urged by police to remain in the country until a case was prosecuted, and generally they did; however, some abused domestics left and were brought back to testify. Victims did not receive government assistance during this period or at other times and indicated they sometimes were not granted permission for alternative employment and were dependent on support from their embassy. Laws prohibiting the harboring, aiding, or abetting of illegal immigrants could hamper assistance to trafficking victims by putting NGOs in the position of harboring a victim who has no legal status; however, no such cases are known to have occurred. The authorities notified embassies of the arrest of nationals, including for prostitution-related offenses, and allowed consular access. Prostitutes rarely contacted embassies voluntarily, unless detained for solicitation or immigration offenses during police sweeps. However, victims of crimes, including domestics alleging abuse, sometimes requested and received assistance from their embassies.

Persons with Disabilities

The Government maintained a comprehensive code on barrier-free accessibility; this established standards for facilities for persons with physical disabilities in all new buildings and mandated the progressive upgrading of older structures. There was no legislation addressing equal opportunities for persons with disabilities in education or employment; however, the National Council of Social Services, in conjunction with various voluntary associations, provided an extensive job training and placement program for persons with disabilities. The Government also ran vigorous campaigns to raise public awareness of issues confronting persons with disabilities and the services available to them. A tax deduction of up to \$57,000 (S\$100,000) was available to employers to defray building modifications to benefit employees with disabilities. Informal provisions in education have permitted university matriculation for the visually impaired, deaf, and for students with physical disabilities. There were 20 special education schools that enrolled more than 4,000 students. It is expected that upon completion of retrofitting, one out of every eight schools will be accessible to handicapped students. Beginning in 2003, the Government provided funds for 6 childcare centers to take in 60 children with special needs.

The Government allowed a tax deduction of up to \$2,000 (S\$3,500) per individual for families caring for a sibling, spouse, or child with a disability. Mental and physical disabilities were treated in the same way. Press coverage of the activities and achievements of persons with disabilities was extensive, and discrimination or abuse of persons with disabilities did not appear to be a problem.

National/Racial/Ethnic Minorities

Ethnic Malays constituted approximately 15 percent of the population. The Constitution acknowledges them as the indigenous people of the country and charges the Government to support and to promote their political, educational, religious, economic, social, cultural, and language interests. The Government took steps to encourage greater educational achievement among Malay students as a key to economic advancement. However, ethnic Malays have not yet reached the educational or socioeconomic levels achieved by the ethnic Chinese majority, the ethnic Indian minority, or the Eurasian community. Malays remained underrepresented at senior corporate levels, and, some assert, in certain sectors of the Government and the military. This reflected their historically lower educational and economic levels, but some argued that it also was a result of employment discrimination. The Government has issued guidelines that call for eliminating language referring to age, gender, or ethnicity in employment advertisements; restrictive language pertinent to job requirements, such as "Chinese speaker" or "physically strong" remains acceptable. These guidelines were generally followed.

The Presidential Council on Minority Rights examined all pending bills to ensure that they were not disadvantageous to a particular group. It also reported to the Government on matters that affected any racial or religious community and investigated complaints.

The Government enforced ethnic ratios for publicly subsidized housing, where the majority of citizens lived and owned their own units, a policy designed to achieve an ethnic mix more or less in proportion to that of society at large.

Other Societal Abuses and Discrimination

Some individuals with HIV/AIDS claimed that they were socially marginalized and faced employment discrimination if they revealed they were suffering from the disease. The Government discouraged discrimination, supported initiatives that counter misperceptions about HIV/AIDS, and praised employers that welcome workers with HIV/AIDS.

Section 6 Worker Rights

a. The Right of Association

The Constitution provides all citizens with the right to form associations, including trade unions; however, Parliament may impose restrictions based on security, public order, or morality grounds. The right of association was restricted by the Societies

Act, and by labor and education laws, and regulations. Under these laws, any group of 10 or more persons is required to register with the Government. The Trade Unions Act authorizes the formation of unions with broad rights, albeit with some narrow restrictions such as prohibitions on the unionization of uniformed personnel or government employees. The Amalgamated Union of Public Employees was declared exempt from these provisions, and its scope of representation was expanded over the years to cover all public sector employees except the most senior civil servants.

The Trade Unions Act restricts the right of trade unions to elect their officers and whom they may employ. Foreigners and those with criminal convictions may not hold union office or become employees of unions. However, the Minister of Manpower could grant exemptions. The Government granted two foreign citizens permission to serve on the executive committee of the Airline Pilots Association of Singapore, the Singapore Airlines pilots' union. In December 2003, the Government revoked this permission and urged both Singapore Airlines and the pilots to adopt moderate positions in upcoming contract negotiations (see Section 6.b.). The Trade Unions Act limits the objectives on which unions can spend their funds and prohibits payments to political parties or the use of funds for political purposes. According to government statistics, the national labor force was made up of approximately 2.12 million workers, nearly 390,000 of whom were represented by 70 unions. Almost all of the unions (which represented virtually all of the union members) were affiliated with the National Trade Union Congress (NTUC), an umbrella organization with a close relationship with the Government.

The NTUC acknowledged that its interests were linked closely with those of the ruling PAP, a relationship often described by both as symbiotic. The NTUC's Secretary General, Lim Boon Heng, a PAP M.P., was a member of the Cabinet as Minister in the Prime Minister's Office. Young PAP M.P.s with no union experience were often elected to leadership positions in the NTUC or a member union. The NTUC policy prohibited union members who supported opposition parties from holding office in affiliated unions. In 2002, the branch chairman of an NTUC-affiliated union was stripped of his position and his union membership because he had been elected secretary general of the Singapore Democratic Alliance, an opposition body. While the NTUC is financially independent of the PAP, the two share a common ideology and work closely with management in support of non-confrontational labor relations. The NTUC is free to associate regionally and internationally and is a member of the International Confederation of Free Trade Unions. The country is a member of the International Labor Organization.

b. The Right to Organize and Bargain Collectively

Collective bargaining was a normal part of labor-management relations in the industrial sector. Collective agreements must be certified by the tripartite Industrial Arbitration Court (IAC) before going into effect. The IAC could refuse certification at its discretion on the ground of public interest. Transfers and layoffs were excluded from the scope of collective bargaining. However, in practice, employers did consult with unions on both issues, and the Tripartite Panel on Retrenched Workers issued guidelines calling for early notification to unions of layoffs. Disputes could be settled through discussions with the Ministry of Manpower. If conciliation fails, the parties may submit their cases to the IAC. In limited situations, the law provides for compulsory arbitration, which has not been used since 1980. Agreements between management and labor were renewed every 2 to 3 years, although wage increases were negotiated annually. The National Wages Council (NWC), a group composed of labor, management, and government representatives, issues yearly guidelines on raises and bonus pay that serve as the starting point for bargaining agreements. Subject to negotiation in each enterprise, up to 10 percent of salaries were considered "variable" each month, allowing companies to eliminate that portion of pay if there were financial problems. The intent is to enable companies to adjust wages quickly and minimize job losses in a changing business environment.

Workers in "essential services" are required to give 14 days notice to an employer before striking, and there is a prohibition on strikes by workers in the water, gas, and electricity sectors. Other workers have the legal right to strike but rarely did so. There were no specific laws that prohibited retaliation against strikers. The law provides that before striking, unionized workers must vote in favor of the strike by secret ballot.

Most disagreements are resolved through informal consultations with the Ministry of Manpower. If conciliation fails, the disputing parties usually submit their case to the Industrial Arbitration Court, which is composed of representatives from labor and management, and chaired by a judge. Besides these labor dispute mechanisms and the close working relationship and shared views among labor, management, and the Government, the maintenance of labor peace has been a product of high economic growth rates, regular wage increases, and a high degree of job mobility in a virtual full-employment economy. In addition, the widely held view that labor conflict would undermine the country's economic competitiveness and attractiveness to investors, compounded with a cultural aversion to confrontation, helped to maintain a harmonious labor situation.

The most visible labor story during the year involved the Singapore Airlines (SIA) pilots' union, the only significant union not affiliated with the NTUC. In 2003, SIA cut pilots' pay in response to a sharp travel slump amid the Severe Acute Respiratory Syndrome (SARS) epidemic; once the airline's profits rebounded, the pilots sought to regain some of their losses. In December 2003, citing the "strategic" importance of SIA to the country's economic success, the Government publicly warned the pilots' union against unreasonable contract demands. In March, the Government rescinded the permanent resident status of a Malaysia-born SIA pilot, who had been identified by then Senior Minister Lee Kuan Yew as having instigated a shakeup in the pilots' union leadership; the pilot had lived in the country for 26 years. On April 20, the Trade Unions Act was amended to rescind the right of union members to vote on collective bargaining agreements--unlike other unions, only the pilots' union had its members take such a vote on contracts. In September, SIA and the pilots reached an agreement that brought overall pay levels back to pre-SARS levels, but the increase was channeled into the variable component of the pay package.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, including by children, and there were no reports that such practices occurred. Under sections of the Destitute Persons Act, any indigent person may be placed in a welfare home and assigned suitable work.

d. Prohibition of Child Labor and Minimum Age for Employment

The Government enforced the Employment Act, which prohibits employment of children under the age of 12. Restrictions on the employment of children between the ages of 12 and 16 are rigorous and fully enforced. Children under the age of 14 generally are prohibited from employment in the industrial sector. Exceptions include family enterprises; children may work in a business in which only members of the same family are employed. A child of 12 or older may be employed in light work, subject to medical clearance. Employers have to notify the Commissioner of Labor within 30 days of hiring a child between the ages of 14 and 16 and attach a medical certification of the child's fitness for employment. The incidence of children in permanent employment was low, and abuses were almost nonexistent.

Ministry of Manpower regulations prohibit night employment of children and restrict industrial work for children between the ages of 14 and 16 to no more than 7 hours a day, including the hours spent in school. Children may not work on commercial vessels, with moving machinery, on live electrical apparatus lacking effective insulation, or in any underground job. The Minister of Manpower effectively enforced these laws and regulations.

e. Acceptable Conditions of Work

There are no laws or regulations on minimum wages or unemployment compensation; however, the NWC, a tripartite body consisting of representatives from government, labor, and business, monitored the economy and made annual recommendations to the Government concerning wage guidelines. The labor market offered good working conditions and relatively high wages, which provided a decent standard of living for a worker and family.

The Employment Act sets the standard legal workweek at 44 hours and provides for 1 rest day each week. In his National Day Rally speech in August, the Prime Minister announced that the Government would move to a 5-day, 44-hour workweek.

The Ministry of Manpower effectively enforces laws and regulations establishing working conditions and comprehensive occupational safety and health laws. Enforcement procedures, coupled with the promotion of educational and training programs, were implemented to reduce the frequency of job-related accidents. While a worker had the right under the Employment Act to remove himself from a dangerous work situation, his right to continued employment depended upon an investigation of the circumstances by the Ministry of Manpower.

Because of a domestic labor shortage, approximately 600,000 foreign workers were employed legally, constituting about 30 percent of the total work force. There were no reliable estimates of the number of foreigners working illegally. Most foreign workers were unskilled laborers and household servants from other Asian countries. Foreign workers faced no legal wage discrimination; however, they were concentrated in low-wage, low-skill jobs and were often required to work long hours. Most foreign construction workers live on worksites in substandard conditions.

Although the great majority of the approximately 140,000 maids (mainly from the Philippines, Indonesia, and Sri Lanka) worked under clearly outlined contracts, their low wages, dependence on their employers for food and lodging, and relative isolation made them vulnerable to mistreatment and abuse. In response to concern about cases of maid abuse, the Government amended the Penal Code in 1998 to increase the punishment for confining or sexually or physically abusing a maid. The authorities fined or imprisoned employers who abused maids, often with great publicity. Prison sentences have ranged from 7 weeks for one woman to 6 years and 12 strokes of the cane for a male employer convicted on three counts of molesting his maid. Substantiated cases of abuse of foreign maids fell by almost 50 percent following the 1998 amendment strengthening legal penalties. In 2002, there were 43 substantiated cases of maid abuse compared with 89 in 1998. Debate on how to prevent abuse of maids is ongoing. In September, the Government announced that it would raise the minimum age for maids from 18 to 23 and require at least 8 years of formal education. Between 8,000 and 9,000 new maids arrive in the country each month; all new maids and new employers of maids must undergo mandatory training. The curriculum includes such topics as maid's rights and responsibilities.

Most maids worked 6 days per week from very early morning until late in the evening. Many contracts allowed only 1 day off per month. Contracts often stipulated that, even when not working, a maid was required to remain on the premises unless on official duties or on her day off. Maids often had to set aside most or all of their wages for the first several months of employment to reimburse their placement agents. Work permits for low-wage foreign workers could be cancelled if a worker applied to marry or married a citizen or permanent resident.

The Employment Act protects foreign workers, such as the many employed in the construction industry; however, domestic servants are not covered by the act and are not eligible for limited free legal assistance from the Government. However, the Ministry of Manpower offered conciliation services for all employees, foreign or local. The Foreign Workers Unit of the Ministry of Manpower provided free advisory and mediation services to foreign workers experiencing problems with employers. The Government allowed complainants to seek legal redress.